

THIRTY-NINTH MEETING
of the
INTERNATIONAL COMMITTEE of LEGAL METROLOGY
Berlin, 26–29 October 2004

DECISIONS

Opening address

The Committee took note of the opening address delivered by its Acting President.

Roll-call - Quorum

The roll of Delegates was called. It was found that 54 Member States out of 59 were present or represented and that the statutory quorum of three quarters of the total number of CIML Members was therefore reached. The Committee also noted the participation of a number of Corresponding Members, Observer Countries, Liaison Institutions and Regional Legal Metrology Organizations, as well as the CIML Immediate Past President, one CIML Honorary Member and members of BIML Staff.

Approval of the agenda

The Committee approved the draft agenda without modification.

1 Approval of the minutes of the 38th CIML Meeting

The Committee approved the minutes of its 38th Meeting without modification.

2 Member States and Corresponding Members

2.1 Situation of certain Members

The Committee noted that Zambia had been struck off the list of Member States, following the decisions made at the 38th CIML Meeting.

The Committee noted that a number of countries were in the process of, or were envisaging joining the Organization as Member States or as Corresponding Members.

3 Financial matters

3.1 Adoption of the Auditor's report for 2002 and 2003

The Committee approved the Auditor's report for 2002 and 2003 and requested its Acting President and the BIML Director to submit it to the Conference.

3.2 Draft Revision of the OIML Financial Regulations

The Committee approved the Draft Revision of the OIML Financial Regulations and instructed its Acting President to submit it to the Conference.

4 Presidential Council activities

The Committee took note of a report from its Acting President concerning the activities of the Presidential Council since the last CIML Meeting.

5 BIML activities

The Committee took note of a report describing the activities of the Bureau since the last CIML Meeting.

6 Technical activities

6.1 Approval of International Documents

The Committee approved the following International Document:

- Revision of D 1 *Elements for a law on metrology*.

The Committee took note that the following International Documents and one Test Report Format had been approved by CIML postal vote since the 38th CIML Meeting and that the BIML would proceed with their publication:

- Revisions of D 9, D 11, D 14 and D 6/D 8;
- The new D 28 *Conventional value of the result of weighing in air* (reclassification of R 33);
- R 111-2 *Weights of classes E₁, E₂, F₁, F₂, M₁, M₁₋₂, M₂, M₂₋₃ and M₃. Part 2: Test Report Format* (Edition 2004)

6.2 Examination of the situation of certain TCs/SCs

The Committee took note of a report from the BIML describing the situation of certain Technical Committees and Subcommittees.

The Committee approved the proposal to allocate the Secretariat of TC 6 to South Africa and TC 9/SC 3 to Germany.

The Committee noted firstly that the Secretariats of TC 8/SC 2 and TC 10/SC 3 were still vacant, and secondly that Germany wished to relinquish the Secretariat of TC 12. It asked Members to consider taking on responsibility for the Secretariats of these technical bodies.

The Committee approved two new working projects:

- Revision of R 99/ISO 3930 *Instruments for measuring vehicle exhaust emissions* as jointly proposed by TC 16/SC 1 and ISO TC 22/SC 5;
- New Recommendation on *Clinical infrared ear thermometers* as proposed by TC 18/SC 2.

The Committee set the deadline for issuing Certificates according to the 1996 edition of R 61 to 31 December 2005 and requested Issuing Authorities to notify the BIML about their readiness to issue Certificates according to the requirements of the revised R 61 (2004), since R 61-1 had already been published and the publication of R 61-2 (2004) was imminent.

Note: The transformation requirements for Certificates issued against the 1996 edition (*Supplement* to OIML R 61 *Automatic gravimetric filling instruments*) have been drawn up by TC 9/SC 2 according to the decision of the 38th CIML Meeting and will be applicable as soon as approved and published.

6.3 Implementation of the MAA

The Committee took note of a report on the Workshop held on Sunday 24 October, and approved the proposed decisions annexed to these decisions.

The Committee instructed TC 3/SC 5 and the Bureau to start a revision of B 3 and B 10 after some experience of the MAA had been gained.

The Committee took note of the draft schedule for the implementation of the MAA.

6.4 Other decisions related to the OIML Certificate System

The Committee decided that from 1 January 2005 OIML Issuing Authorities shall establish OIML Certificates in electronic format as defined by the BIML, so that these Certificates may be published on the OIML web site.

6.5 Miscellaneous

The Committee wished it to be noted that substantial interpretations of Recommendations and Documents are the responsibility of OIML Technical Committees and Subcommittees.

7 Developing Countries

The Committee took note of a report given by Dr Seiler concerning the Forum *Metrology – Trade Facilitator* held on Monday 25 October and instructed the Bureau to organize the following-up of this Forum.

The Committee took note of a report given by Mr. Magaña on the activities and future of the OIML Development Council and expressed its utmost appreciation for the contributions of its Chairperson, Mrs. Annabi.

The Committee noted that OIML work on Developing Country matters could be more efficiently managed by the Permanent Working Group on Developing Countries as established by the 38th CIML Meeting; the PWGDC should replace the Development Council.

8 Coordination with the RLMOs

The Committee instructed its President and the Director of the Bureau to continue to liaise closely with RLMOs.

9 Twelfth International Conference of Legal Metrology

Agenda and program

The Committee endorsed the draft agenda and program for the Conference. It noted that Dr. Röhling would act as Conference Chairman and approved the proposal from the CIML Acting President to nominate Mrs. Annabi and Dr. Zhagora as Conference Vice-Presidents.

10 CIML Presidency

The Committee elected Mr. Alan E. Johnston (CIML Member for Canada) as its President for the next six years.

The elected President will take up his duties at the 40th CIML Meeting in 2005. The Acting President will pass the CIML Presidency over to the newly elected President at the opening of the 40th CIML Meeting. The term of the elected President will be six years and will end at the opening of the 46th CIML Meeting in 2011. The next election of a President will be organized at the 45th CIML Meeting in 2010 in order to allow the same transition period.

As the required majority of votes was not obtained, the Committee was unable to elect a First Vice-President.

The elected President asked Prof. Kochsiek to continue his role as CIML First Vice-President until the election of a new First Vice-President at the 40th CIML Meeting. This was approved by the CIML.

11 Twelfth International Conference of Legal Metrology

Examination of the decisions made by the Conference

The Committee took note of the decisions made by the Twelfth Conference and requested its Acting President, the Presidium and the Presidential Council to monitor their implementation and to report back at the next CIML Meeting.

12 Future meetings

12.1 40th CIML Meeting (2005)

The Committee thanked the French Government for its invitation to hold its 40th Meeting in Lyon, France, from 17 to 20 June 2005, in conjunction with the International Metrology Congress. The Committee noted that a gala reception would be organized on 20 June 2005 to celebrate the 50th Anniversary of the OIML.

The Committee also noted that legal metrology sessions would be organized by the Bureau during the International Metrology Congress and that the Bureau would pay the registration fee for one participant from each OIML Member State and Corresponding Member to attend this Congress.

12.2 41st CIML Meeting (2006)

The Committee accepted the invitation of South Africa for the 41st CIML Meeting and expressed its thanks to Mr. Carstens for this invitation.

13 Other matters

13.1 Director of the BIML

The Committee approved the Procedure for the selection of the BIML Director and Assistant Directors.

14 Adoption of decisions

The above-mentioned decisions were adopted.

ANNEX

Rules applicable to the implementation of the OIML MAA

1 Relation between the DoMCs and the former OIML Certificate System

- 1.1 When an Issuing Authority signs a Declaration of Mutual Confidence (DoMC) in the framework of the MAA, all OIML Certificates and associated test reports issued by this Issuing Authority for the considered category of instruments will then be issued under the particular conditions resulting from its participation in the DoMC. This Issuing Authority will not be allowed to continue to issue Certificates under the sole conditions of the OIML Certificate System.
- 1.2 OIML Certificates and associated test reports issued under the conditions of a DoMC will bear a specific OIML logo (to be defined by the BIML), affixed by the Issuing Authority and under its own responsibility. This logo will be the property of the OIML and its use will be authorized by the Bureau to these Issuing Authorities.
- 1.3 After a DoMC has been signed, the Bureau will propose at the next CIML Meeting to decide that for this category the OIML Certificate System will be applicable only by signatories of this DoMC and under the conditions of this DoMC. This should come into force on a date defined by the CIML.
- 1.4 OIML Certificates that have been issued prior to the establishment of the DoMC or during this transition period according to the previous rules, will continue to appear in the OIML databases published on the OIML web site.
- 1.5 OIML Certificates issued under the conditions of a DoMC will be recorded separately and will appear separately in the OIML databases published on the OIML web site.

2 Final provisions

These decisions will be applied for the implementation of the MAA and for the operation of the OIML Certificate System as of 1 January 2005.

TC 3/SC 5 will revise Publication B 3 (ex. P 1) *OIML Certificate System for Measuring Instruments* according to these decisions and will develop, if necessary, detailed regulations for the implementation of the MAA in order to submit them for CIML approval. ■